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Attorneys for DEFENDANTS XINGKE
 ELECTRONICS (DONGGUAN) CO., LTD.,
 NG CHER. YONG. AKA CY NG, LIEW
 YEW SOON AKA, MARK LIEW, AND
 MUI LIANG TJOA AKA ML TJOA

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

SINCO TECHNOLOGIES PTE LTD.,

Plaintiff,

vs.

SINCO ELECTRONICS (DONGGUAN) CO.,
 LTD.; XINGKE ELECTRONICS
 (DONGGUAN) CO., LTD.; XINGKE
 ELECTRONICS TECHNOLOGY CO., LTD.;
 SINCOO ELECTRONICS TECHNOLOGY
 CO., LTD.; MUI LIANG TJOA (an
 individual); NG CHER YONG aka CY NG (an
 individual); and LIEW YEW SOON aka

CASE NO. 3:17-cv-05517-EMC

The Honorable Edward M. Chen

**ADMINISTRATIVE MOTION AND
 MOTION FOR ORDER TO SEAL
 DOCUMENTS SUPPORTING MOTION
 FOR PARTIAL SUMMARY JUDGMENT
 OF NO PERSONAL LIABILITY;
 DECLARATION OF JOHN GIUST**

Date: Feb. 27, 2020
Time: 1:30 PM
Ctrlm: 5

1 MARK LIEW (an individual),
2 Defendants.

3 AND RELATED COUNTER-CLAIMS.

4 Pursuant to Local Rules 7-11 and 79-5, Defendants Ng Cher Yong Aka Cy Ng (an
5 individual); And Liew Yew Soon Aka Mark Liew (an individual) through their moves the
6 court for a Court order allowing the filing of excerpts of portions of the opening brief and
7 Declaration of John E. Giust, Exhibits 1 and 2 under seal. This motion will be made on the
8 grounds that the parties have stipulated to a protective order, and the attached materials have
9 been designated as confidential by a party.

10 This motion will be based upon this notice, the attached Memorandum of Points and
11 Authorities, the concurrently filed declaration of John E. Giust, as well as all of the evidence
12 properly before the court.

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14 Dated: January 9, 2019,

Respectfully submitted,

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17 /s/ John E Giust
18 John E Giust (CA SBN: 196337)
19 **WHGC, P.L.C.**
20 *Counsel for Plaintiff*
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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

This is a case involving alleged trademark infringement, where , Defendants Ng Cher Yong Aka Cy Ng (an individual); And Liew Yew Soon Aka Mark Liew (an individual) ("Defendants" herein) have moved the Court for Partial Summary Judgment of no personal liability. The case involves two companies operating abroad, and includes evidence regarding employment information, manufacturing processes and specification and customer relations and prices.

Because such information is sensitive and confidential, the parties seek to maintain such confidentiality of the information both from potential customers, potential competitors and each other. Therefore, the parties have negotiated a stipulated protective order which received court approval. ECF # 124.

The Court allowed the parties to designate deposition transcripts and exhibits as confidential in order to protect trade secrets and confidential information regarding each entities procedures which may harm the parties in the course of their business.

The parties have entered into a stipulated protective order. See Docket Nos. 124. This order allows the parties to designate materials "Confidential" or "Confidential – Attorneys' Eyes Only."

II. DOCUMENTS TO SEAL

Annex "A" to the Declaration of John E. Giust in Support of Administrative motion are materials sought to be sealed, in unredacted form.

III. LOCAL RULES

In accordance with local rules 79-5 and 7-11, the Defendants seek to file confidential deposition excerpts and exhibits designated by Plaintiff as Attorneys Eyes Only or Confidential, and to protect confidential customer information.

According to Local Rule 79-5, in order to file court records under seal, a party must demonstrate that the request: (1) establishes that the document or portion thereof, are: (a) privileged, (b) protectable as a trade secret, or entitled to protection under law; (2) are narrowly tailored; (3) seeks only sealable material; and (4) conforms with Civil L.R., rule 79-5(d). (Civil L.R., rule 79-5(b).) These documents are more fully examined in the Accompanying Declaration.

IV. INFORMATION SOUGHT TO BE REDACTED

Included in the documents to be sealed are documents designated by the parties as confidential, or confidential attorneys eyes only in this matter. The parties have valuable trade secret information about the technology, products, and services related to customers, products and financial information. As such, the information is protectable under Civil L.R., rule 79-5(b).

Under the terms of the Stipulated Protective Order, entered into by the parties, and approved by the Court (See Docket 124), the parties have an obligation to maintain the confidentiality and protect material designated as confidential by one another. Defendants have narrowly tailored their requests to meet this requirement.

IV. CONCLUSION.

For all of the above stated reasons, Defendant XingKe respectfully requests the court allow the filing of these documents under seal.

Dated: September 25, 2019,

Respectfully submitted,

/s/ John E Giust
John E Giust (CA SBN: 196337)
WHGC, P.L.C.
Counsel for Plaintiff

WHGC, P.L.C.

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 LTD.; XINGKE ELECTRONICS
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 ELECTRONICS TECHNOLOGY CO., LTD.;
 SINCOO ELECTRONICS TECHNOLOGY
 CO., LTD.; MUI LANG TJOA (an individual);
 NG CHER YONG aka CY NG (an individual);
 and LIEW YEW SOON aka MARK LIEW (an
 individual),

Defendants.

AND RELATED COUNTER-CLAIMS.

CASE NO. 3:17-cv-05517-EMC

The Honorable Edward M. Chen

**DECLARATION OF JOHN E. GIUST IN
 SUPPORT OF ADMINISTRATIVE
 MOTION**

Date: Feb. 27, 2020
Time: 1:30PM
Ctrlm: 5

I, John E. Giust am counsel for Defendant Xingke Electronics (Dongguan) Co., Ltd, over the age of 18 and competent to testify on the matters herein of my own personal knowledge.

1. Defendants Cy Ng and Mark Liew have filed a Motion for Partial Summary Judgment of no personal liability.
2. This Administrative Motion to File Under Seal is brought pursuant to the requirements under Local Rule 79-5, Federal Rules of Civil Procedure, Rule 5.2 and 26(c), the protective order in place in this matter and this declaration and attached exhibits.
3. On January 14, 2019, the Court issued an Order re: Amending Stipulated Protective Order (Amended Stipulated protective Order”), incorporating revisions made by the court.
4. I have submitted a declaration “Declaration Of John Giust In Support Of Motion For Partial Summary Judgment Of No Personal Liability” containing materials sought to be filed under seal.
5. The materials are as follows, for the reasons stated.

Document	Description	Portions to be filed under seal	Reason
Exhibit 1 To the Declaration of John Giust in Support of Motion for Partial Summary Judgment Of No Personal Liability	Cy NG deposition testimony	Highlighted customer names and confidential information	Reveals confidential customer identities or other protected information.
Exhibit 2 To the Declaration of John Giust in Support of	Mark Liew deposition testimony	Highlighted customer names and	Reveals confidential customer identities or other protected

Motion for Partial Summary Judgment Of No Personal Liability		confidential information	information.
Memorandum Of Points And Authorities In Support Of Motion For Partial Summary Judgment Of No Personal Liability	Memorandum in Support of Motion for Partial Summary Judgment	Highlighted customer names and confidential information	Reveals confidential customer identities or other protected information.

The materials mentioned above are attached as Annex A, hereto in unredacted form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and if called to testify, I could and would competently do so.

Executed January 9, 2019, at Newport Beach, California, USA. 

(date)

(place)

(John E Giust).

CERTIFICATE OF SERVICE

The undersigned hereby certify that a true and correct copy of the ADMINISTRATIVE MOTION AND MOTION FOR ORDER TO SEAL DOCUMENTS SUPPORTING MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PERSONAL LIABILITY filed through the ECF System will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated on non-registered participants on **January 9, 2020**.

Executed on **January 9, 2020**, at Newport Beach, California.

/s/Christie Noble

CHRISTIE NOBLE